HIGH COURT OF CHHATTISGARH, BILASPUR

W.P. No. 3954 of 2006

PETITIONER Brij Lal Sahu S/o Shree Lakshman Sahu, aged about 30 years, R/o village Khada Gram Panchayat Khada, P.O. Mahora, Tah. Baikunthpur, District Korea (C.G.)

Versus

RESPONDENTS

1. State of Chhattisgarh Through- Secretary, Panchayat and Rural Development Department, D.K.S. Bhavan, Raipur (C.G.)
2. Deputy Director, Panchayat and Social Welfare Department, Raipur (C.G.)
3. Chief Executive Officer, Janpad Panchayat, Baikunthpur, District Korea (C.G.)
4. Sub Divisional Officer (Revenue) Baikuthpur, District Korea (C.G.)
5. Collector, Korea, District Korea (C.G.)
6. Sarpanch, Gram Panchayat Khada, Tahsil Baikunthpur, District Korea (C.G.)
7. Rakesh Pandey S/o Onkar Pandey, aged about 28 years, R/o Mahalpara, Ward No. 10, Baikunthpur, District Korea (C.G.)

(Writ Petition under Article 226/227 of the Constitution of India)

Appearance:

Ms. Mamta Verma, counsel for the petitioner.

Shri Sumit Verma, Panel Lawyer for the State/ respondents No. 1, 2, 4 & 5.

Shri Rahul Mishra, counsel for respondents No. 6 & 7.

ORAL ORDER
(12.12.2007)

SUNIL KUMAR SINHA, J.

Heard.

Preliminary submission filed on behalf of respondents No. 1, 2, 4 & 5 is considered. It has been mentioned in Para-2 that the petitioner has expired on 26.10.2006 and a copy of death certificate has been annexed as Annexure-R/1.

Learned counsel for the State submits that in fact, the date of death of the petitioner is 16.10.2006, by mistake, it has been mentioned as 26.10.2006 but the fact remains that the petitioner has died. This submission is on affidavit of the O.I.C. of the case namely Mr. J.P. Singh.

Since the petition was filed for quashing of appointment of respondent No.7 and also to take the petitioner in place of respondent No.7, it has become infructuous for the main relief.

The petition is dismissed being infructuous on account of death of the petitioner.

Sd/-
Sunil Kumar Sinha
Judge

vatti